

06-25-01

A

jc62us.s. pro

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

JC903 U.S. PTO
09/888085
06/22/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	44375/21:1
First Inventor	Daniel A. Preston
Title	Network Delay Identification Method and Apparatus
Express Mail Label No.	EL414489443US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 33]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 30]

5. Oath or Declaration [Total Pages]

a. Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)

i. **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

a. Computer Readable Form (CRF)

b. Specification Sequence Listing on:

- i. CD-ROM or CD-R (2 copies); or
- ii. paper

c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of
(when there is an assignee) Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Copies of IDS
Statement (IDS)/PTO-1449 Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.

17. Other: Declaration (unsigned)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

of prior application No. 09 / 531,367

Prior application information Examiner _____

Group Art Unit 3662

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label 	or <input checked="" type="checkbox"/> Correspondence address below		
Name	Kassim M. Ferris		
Address	Stoel Rives LLP 900 SW Fifth Ave., Suite 2600		
City	Portland	State	OR
Country	USA	Telephone	503.224.3380
Zip Code	97204		
Fax	503.220.2480		

Name (Print/Type)	Kassim M. Ferris	Registration No. (Attorney/Agent)	39,974
Signature			Date 6/22/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Application No.:

Filed: Concurrently Herewith

Inventors: Daniel A. Preston, Joseph D. Preston, Robert Leyendecker,
Wayne Eatherly, and Rod L. Proctor

Title: **NETWORK DELAY IDENTIFICATION METHOD AND APPARATUS**

Attorney Docket No.: 44375/21:1

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing
label number EL414489443US

Date of Deposit June 22, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO
THE ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231


Signature

SANDRA LEKAR

Typed or printed name of person signing
certificate

Attachment:

Patent application, including 33 pages of specification and claims, 30 sheets of drawings, Combined Declaration and Power of Attorney for Patent Application (unsigned), Utility Patent Application Transmittal, and return receipt postcard.